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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Koji YAMAZAKI, et al.

Appl. No.: 09/842,041

Filed: April 26, 2001

For: IMAGE FORMING PROCESS, AND
PHOTOSENSITIVE MEMBER
EMPLOYED THEREFOR

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Examiner: Christopher D. Rodee

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Group Art Unit: 1753

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April 29, 2002

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

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Sir:

This is responsive to the restriction requirement set forth in the Official Action dated April 5, 2002.

In the Official Action, the Examiner sets forth a three-way restriction requirement.

Group I, consisting of Claims 1 through 14, is directed to a process of forming an image, classified in class 399, subclass 308; Group II, consisting of Claims 15 through 21, is directed to a photoconductor, classified in class 430, subclass 56; and Group III, consisting of Claims 22 and 23, is directed to an apparatus, classified in class 399, subclass 159.

The Examiner contends that the inventions of Groups I, II, and III are patentably distinct for the reasons set forth in the Official Action.

Applicants submit that the inventions of Groups I, II, and III are so closely related in the field of search that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched together, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicants also submit that any nominal burden placed upon the Examiner to search an additional classes(es) and/or subclass(es), necessary to determine the art relevant to Applicants' overall invention is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicants' invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.

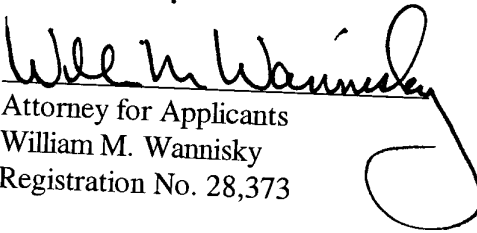
In the interest of economy, for the Office, for the public-at-large, and for Applicants, reconsideration and withdrawal of the restriction requirement are requested.

In order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect, with traverse, to prosecute the invention of Group I, namely Claims 1 through 14.

Favorable reconsideration and an early passage to issue are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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